

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 959 - SB 1108

March 26, 2011

SUMMARY OF BILL: Subject to exceptions, prohibits any federal employee who is not designated by state law as a Tennessee peace officer from making an arrest or conducting a search or seizure in Tennessee without written permission from the sheriff of the county in which the arrest or seizure occurs. Exceptions are made for arrests or seizures on federal enclaves, where the federal employee has witnessed a crime that requires an immediate arrest, the arrest or seizure is under Title 40, the subject of the arrest is an employee of the sheriff's office or is an elected county or state officer, or the federal employee has probable cause to believe that the subject of the arrest has close connections with the sheriff that are likely to result in the subject being informed of the impending arrest or seizure.

Requires the federal officer to obtain written permission from the Attorney General and Reporter for an arrest of an employee of the sheriff's office or an elected official, or a subject who has close connections with the sheriff. Requires the county attorney to prosecute any violation of this act. Failure to prosecute subjects the county attorney to recall by the voters and to prosecution by the Attorney General and Reporter for official misconduct.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Subjecting arrests by federal employees to these restrictions will have no significant impact on the case load of trial and appellate courts.
- Sheriffs will not require additional resources to respond to permission requests.
- The Attorney General and Reporter will not require additional resources to respond to permission requests.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/jww